In the High Court of Punjab and Haryana at Chandigarh

CWP No.18502 of 2007
Date of decision:December 7, 2007

Raj Paul **---Petitioner**

Vs.

Central Bank of India, Jalandhar and another **---Respondents**

Coram: **HON'BLE MR. JUSTICE M.M.KUMAR**
HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Ms.Puneeta Sethi, Advocate,
for the petitioner.

M.M.KUMAR, J.

The prayer made in this petition filed under Article 226 of the Constitution is for issuance of direction to the respondents to withdraw notice dated 20.8.2007(P-1) issued under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for brevity 'the Act'). Further prayer for handing over the possession of the part premises of property mentioned at Sr. No.(b) in the impugned notice has also been made.

The impugned notice issued under Section 13(4) of the Act is admittedly appealable before the Debts Recovery Tribunal under Section 17 of the Act. Accordingly, the petitioner is relegated to the remedy of filing the appeal before the Debts Recovery Tribunal.

Writ petition is dismissed.

(M.M.KUMAR)
JUDGE

(RAKESH KUMAR JAIN)
JUDGE

DECEMBER 7, 2007
paramjit